



CNR: KAHC010403842022

NC: 2026:KHC:36507-DB
MFA No. 6169 of 2022
C/W MFA No. 111 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO. 6169 OF 2022

(MV-D)

C/W

MISCELLANEOUS FIRST APPEAL NO. 111 OF 2022

(MV-D)

IN MFA No.6169/2022:

BETWEEN:

1. RAVIKUMAR @ RAVI M
AGED ABOUT 30 YEARS
S/O MALEGOWDA
(RIDER OF MOTORCYCLE
BEARING NO.KA-09-EQ-0927)

2. MALLEGOWDA
AGED ABOUT 55 YEARS
S/O KOTTHANA MALLEGOWDA
(OWNER OF MOTORCYCLE
BEARING NO.KA-09-EQ-0927)

BOTH ARE RESIDING AT
D.NO.238, HUYILALU VILLAGE
NAGAWALA POST, YELWALA HOBLI
MYSURU TALUK & DISTRICT - 570 004.

...APPELLANTS

(BY SRI. THANISH C REDDY, ADVOCATE FOR
SRI. ABHINAV RAMANAND, ADVOCATE)

Digitally signed by
SUMATHY
KANNAN
Location: HIGH
COURT OF
KARNATAKA



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AND:

CHANDRA
S/O SHIVALINGE GOWDA
DEAD REPRESENTED BY HIS LEGAL HEIRS

1. SRI. SHIVALINGEGOWDA
AGED ABOUT 58 YEARS
S/O LATE MALLEGOWDA
2. SMT. LAKSHMAMMA
AGED ABOUT 46 YEARS
W/O SHIVALINGEGOWDA
3. SMT. BHAGYA
AGED ABOUT 34 YEARS
W/O SWAMY
D/O SHIVALINGEGOWDA
4. SRI. MALLESHA
AGED ABOUT 27 YEARS
S/O SHIVALINGEGOWDA
R/AT HUYILALU VILLAGE
YELWALA HOBLI
MYSURU TALUK & DISTRICT – 571 130.
5. THE DIVISIONAL CONTROLLER/
DIVISIONAL MANAGER
K.S.R.T.C. DEPOT NO.1
RURAL DIVISION
BANNIMANTAP
MYSURU – 570 015.

...RESPONDENTS

(BY SRI. H.V.BHANU PRAKASH., ADVOCATE FOR R1 TO R4;
SRI. D.VIJAYAKUMAR, ADVOCATE FOR R5)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,
PRAYING TO a) SET ASIDE THE JUDGMENT AND AWARD DATED
15.02.2020 AGAINST THE PETITIONERS HEREIN AND BY
DISMISS THE CLAIM RESPONDENT NOS.1 TO 4 HEREIN IN MVC



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NO.492/2016 ON THE FILE OF THE JUDGE, PRL. COURT OF
SMALL CAUSES, MOTOR ACCIDENTS CLAIMS TRIBUNAL,
MYSURU; b) GRANT COSTS.

IN MFA NO.111/2022:
BETWEEN:

CHANDRA
S/O SHIVALINGE GOWDA
DEAD REPRESENTED BY HIS
LEGAL REPRESENTATIVES

1. SRI. SHIVALINGEGOWDA
S/O LATE MALLEGGOWDA
AGED ABOUT 57 YEARS
2. SMT. LAKSHMAMMA
W/O SHIVALINGEGOWDA
AGED ABOUT 46 YEARS
3. SMT. BHAGYA
W/O SWAMY
AGED ABOUT 33 YEARS
RESIDING AT MOOGANAHUNDI
VILLAGE
RAYANAKERE POST,
JAYAPURA HOBLI,
MYSURU TALUK – 570 008
4. SRI. MALLESHA
S/O SHIVALINGEGOWDA
AGED ABOUT 26 YEARS

1, 2 & 4 ARE RESIDING AT
HUYILALU VILLAGE
YELWALA HOBLI
MYSORE TALUK
MYSORE DISTRICT – 571 130.

...APPELLANTS

(BY SRI. BHANU PRAKASH H V, ADVOCATE - ABSENT)



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AND:

1. THE DIVISIONAL CONTROLLER/
DIVISIONAL MANAGER
K.S.R.T.C. DEPOT NO.1
RURAL DIVISION
BANNIMANTAP
MYSURU – 570 015.

2. RAVIKUMAR @ RAVI M
S/O MALEGOWDA
AGED ABOUT 30 YEARS

3. MALLEGOWDA
S/O KOTTHANA MALLEGOWDA
AGED ABOUT 55 YEARS

RESPONDENT NOS.2 & 3 ARE
RESIDING AT D.NO.238,
HUYILALU VILLAGE,
YELWALA HOBLI,
MYSURU TALUK,
MYSORE DISTRICT – 571 130.

...RESPONDENTS

(BY SRI. VIJAYA KUMAR D, ADVOCATE FOR R1;
SRI. THANISH C REDDY, ADVOCATE FOR
SRI. ABHINAV RAMANAND, ADVOCATE FOR R2 & R3)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,
PRAYING TO MODIFY THE JUDGMENT AND AWARD DATED
15.02.2020 PASSED IN MVC NO.492/2016 ON THE FILE OF THE
MOTOR ACCIDENTS CLAIMS TRIBUNAL AT MYSURU (IN THE
COURT OF PRINCIPAL JUDGE, SMALL CAUSES AND SENIOR
CIVIL JUDGE AT MYSURU).

THESE MFAs COMING ON FOR DISMISSAL THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

1. When the matter was last listed, the following order was passed:

"Learned Counsel for the appellants in MFA No.6169/2022 prays for and is granted three weeks' time to file duly attested translated copies of the documents/depositions on record supported by an affidavit as required under Order XIII Rule 12 CPC (Karnataka Amendment) failing which the appeal will be dismissed on the next date of listing.

If the translations are filed, list this matter along with the connected matters on 16.07.2026.

Learned counsel for the appellants also states that he has not received a copy of I.A.No.1/2024 that is filed for withdrawal and transfer of amount through RTGS. Learned counsel for the appellants seeks an adjournment to enable him to file objections. He may do so by the next date of hearing."

2. Today, a proxy counsel for the learned counsel for the appellants is present who states that the appellants, despite the efforts made to contact them, are not responding and therefore, the learned counsel for the appellants has no instructions in the matter.



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3. In that view of the matter, the appeals are
dismissed for non-prosecution.

4. This order has been passed in the presence of Sri.D.
Vijaya Kumar, learned counsel for the Insurance Company.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

BMV*

List No.: 1 Sl No.: 17